

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 20-48595

KATRINA MARIE STEWART, *pro se*.

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DENYING THE DEBTOR'S *FOURTH* MOTION TO DISMISS THIS CASE

This case is before the Court on the Debtor's *fourth* motion to dismiss this bankruptcy case,¹ filed on March 14, 2022 (Docket # 69, the "Motion"). The Court will deny the Motion for the following reasons:

1. The notice of the motion was only a 3 day notice, whereas a 21 day notice is required for this motion.
2. The 21 day notice must be served on all creditors, the United States Trustee, and the Chapter 7 Trustee. The defective 3 day notice here was not served on the United States Trustee or the creditors.
3. The Court previously made known to the Debtor the foregoing requirements for a motion to dismiss this case, most recently in the notice of deficiency filed on January 3, 2022 (Docket # 48), regarding the Debtor's third motion to dismiss this case that was filed on December 22, 2021 (Docket # 46). That third motion was stricken by the Court in the Order filed on January 11, 2022 (Docket # 58), after the Debtor failed to correct the deficiencies in the motion.

¹ The Debtor previously filed motions to voluntarily dismiss this case on December 2, 2021 (Docket # 35), December 7, 2021 (Docket # 38), and December 22, 2021 (Docket # 46). All three of these previous motions were stricken by order of the Court, after the Debtor failed to cure deficiencies in the motions (Docket ## 45, 58).

4. The current Motion fails to allege or demonstrate any facts that could constitute “cause” for the dismissal of this bankruptcy case, as required by 11 U.S.C. § 707(a).

Accordingly,

IT IS ORDERED that the Motion (Docket # 69) is denied.

Signed on May 23, 2022



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge